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January 10, 2022

**BY ECF**

Hon. Laura Taylor Swain  
Chief United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**MEMO ENDORSED**

**Re: United States v. Constantinescu, et al., 19 CR 651 (LTS)**

Dear Chief Judge Swain:

I am writing on behalf of defendant Theofrastos Lymberatos to respectfully request a short adjournment of Wednesday's sentencing. To briefly explain, the defendant's financial affidavit was inadvertently never completed and returned to Probation. There was never an intent to deceive or hold back any information from the Court on the part of the defendant – this was accidentally overlooked while the defendant was working in Illinois installing water meters and just brought to my attention. While a completed financial affidavit will be provided to Probation this afternoon, a brief adjournment of the sentencing will permit Probation to update the PSR with the details of Mr. Lymberatos' financial status for the Court's consideration at sentencing. The government, by AUSA Robert Sobelman, has no objection to this request.

Thank you for the Court's consideration on this application. I apologize for any inconvenience this delay may have caused.

The foregoing adjournment request is denied.  
Probation has informed the Court that the updated report will be disclosed to all parties prior to the sentencing hearing. Dkt. no. 954 resolved.  
SO ORDERED.

1/11/2022

/s/ Laura Taylor Swain, Chief USDJ

Respectfully submitted,

  
Jeffrey Lichtman

cc: Robert Sobelman, Esq.  
Elizabeth Hanft, Esq.  
Samuel Rothschild, Esq.  
Assistant United States Attorneys (by ECF)

USPO Pamela Flemen (by email)